

CITY PAY INCREASE IS VOTED BY BOARD

La Guardia Wins \$200 Minimum for Employees Over Craig's Protest.

\$5,000,000 READY SOON

Raise Will Go Into Effect on August 30, Comptroller Announces.

After verbal fireworks and passages of arms between President F. H. La Guardia and the Board of Estimate yesterday afternoon passed the \$5,000,000 appropriation for increasing the salary of city employees. The increase will be on a basis of 20 per cent, but President La Guardia won his fight for a minimum increase of \$200. Another motion pressed by the Aldermen for a maximum increase of \$500 for those receiving \$3,000 or more was lost, the whole board, with the exception of Henry Curran, Mr. La Guardia's lone Republican conferee, voting against it.

The hearing was well attended by city employees, who listened rapidly to the intermittent skirmish waged by La Guardia and Craig. Beyond the use of his gavel occasionally, Mayor Hylan remained outside the fight, as did the other members of the board.

Comptroller Craig blew up verbally when his opponent moved that members of the police and fire departments be increased \$100 each. "I think he would buy every vote in the entire civil service if he had this five million to distribute," Mr. Craig declared.

an very glad to have friends among the city departments," Mr. La Guardia snapped back. "It makes up for having to sit with the Comptroller once a week. You have your friends outside of Sing Sing in eighteen months if you keep on the way you are going," the Comptroller retorted.

"That remark shows the excited and agitated mind of the Comptroller," Mr. La Guardia retorted.

The motion for a \$200 minimum was passed by the Board, with the Comptroller not voting. The increases were to have gone into effect August 1, but Mr. Craig explained that it was not possible to put them into effect until August 30. The matter now goes to the Board of Aldermen for the authorization of \$5,000,000 in special revenue bonds and will return again to the Board of Estimate, but the increases are now practically certain. The Comptroller, as chairman of the finance committee, opposed the \$200 minimum.

The board referred to the Commissioners of the Sinking Fund the application of Rear Admiral J. H. Glennon, Commandant of the Third Naval District, for cessation to the Navy Department of lands at Rockaway for the permanent establishment of the Naval Air Station there. Admiral Glennon explained that he wished to put the station in permanent working order, but could not do so now because the lands are held by the navy under a permit revocable in 30 days. The Legislature has passed an act giving the city permission to grant the cessation, so it is probable the commission will grant the application.

A resolution was passed giving men working overtime and on Sundays and holidays in the Street Cleaning Department pay at the rate of time and a half.

HIGH PRICES HALT SUBWAY COMPLETION

City Probably Will Finish Abandoned Work.

Work on the uncompleted link of the Eastern Parkway-Grand Central subway line, under construction since June, 1915, has been abandoned by the Intercontinental Construction Corporation, officers and attorneys of the corporation admitted yesterday to John H. Delaney, Transit Construction Commissioner.

Prices for labor and material mounted from 200 to 350 per cent, since the contract was signed and the reason for stoppage of work by the company. The line is 94 per cent complete and it was expected to open within six weeks. The Intercontinental and the contract for the section under Eastern Parkway from Prospect Park Plaza to Nostrand avenue, a distance of about a mile. Commissioners Delaney granted the sureties of the company five days to determine whether they will attempt to complete the work. The corporation has received \$2,155,000 and agreed to do the work for \$2,744,263. Work probably will be resumed by the city engineering forces next week should that be necessary. The city has available retained percentage withheld from the Intercontinental company of about \$580,000.

TWO FLYING BOATS BRING GRAPEFRUIT

Planes Make Trip From Miami in 16 Hours.

Two thousand pounds of grapefruit reached New York yesterday from Miami, Fla., in the hulls of two big flying boats of the Aero, Limited, Company.

The grape fruit left Miami, Fla., last Wednesday morning, and the pilots of the two big Liberty motor planes flew leisurely up the coast, stopping among other places at Charleston, S. C.; Moorehead City, N. C., and Ocean City, Md. The shipments were consigned to Frank E. Shurtis, a lawyer of Miami, and John Livingston, secretary of the Miami Chamber of Commerce, who are at the Waldorf. They will distribute the fruit among their friends here.

The pilots, George Gay and George Cobb, kept within sight of each other all the way up and made the 1,500 miles in sixteen and a half hours in the air. The boats, according to C. Nicholas Reinhardt, general passenger agent of the company, will be placed in the New York-Boston service.

7 CENT FARE IN WESTCHESTER

Appellate Division Decides for N. Y. W. & B. Railway

The Appellate Division of the Supreme Court declared yesterday that the New York, Westchester and Boston Railway Company has the right to charge a seven cent fare within the limits of the city of New York. It operates lines between the Harlem River and points in Westchester county. The court decided that the Public Service Commission has authority to permit the collection of such fares within the boundaries of this city.

Corporation Counsel O'Brien said last night that this decision was no bearing on the fight the city of New York is waging to keep the five cent fare unchanged, but that he thought the decision was inconsistent with a recent ruling of the Court of Appeals in another case and would appeal at once to that court.

SECOND COUSINS WILL GET \$300,000 ESTATE

Mrs. Jane E. Barney Held Incompetent to Make Will.

Mrs. Jane E. Barney, eighty-year-old widow, who had an income of \$2,000 a month and lived on 55th street, was found incompetent to make a will. Her estate of about \$300,000 will be divided among her nearest relatives, second cousins, in accordance with the decision of Surrogate Cohalan, which was upheld yesterday by the Appellate Division of the Supreme Court.

Mrs. Barney lived alone in New Providence, N. J. One day in 1915 she was found dead on the floor of her kitchen. Thereafter Lewis V. Ennis, cashier in a New York bank and a second cousin of Mrs. Barney, offered for probate a will that left him the bulk of her estate. All the other cousins of the dead woman contested this will and broke it by producing evidence that she was insane.

ALMIRAL JURY IS TOLD TO HURRY UP

Justice Weeks Urges Extraordinary Body Not to Waste Any Time.

When the Extraordinary Grand Jury hases up its indictment against a comparatively unimportant individual who is not under arrest Justice Weeks told the jurors in open court that they should not continue in session longer than absolutely necessary.

Turning to the foreman, Raymond F. Almira, Justice Weeks said he understood the Extraordinary Grand Jury was going to take a recess until early in October and that all matters under investigation would be held in abeyance until that time. Then he added:

"You should, of course, terminate your labors as soon as possible. It is to be hoped that while the Grand Jury is on vacation the prosecuting attorney and his staff will have opportunity to arrange matters so that upon your reconvening all matters may be promptly presented to you in order that it will be unnecessary for you to continue longer in session than is absolutely necessary."

The name of the man indicted was not made public, but it was learned that he is not in the jurisdiction of the New York courts at present. With the consent of District Attorney Edward Swann and Col. William Rand, counsel to the Extraordinary Grand Jury, Justice Weeks fixed \$7,500 as the amount of bail in which the defendant will be held when he is arrested. It is understood that the indictment grew out of charges made to David Hirschfeld, Commissioner of Accounts, against James E. Smith, Assistant District Attorney, by Bernard Friedman and Jacob Goldman.

Justice Weeks will start for Europe on July 10 to act as one of the officials at the Olympic games at Antwerp. The Extraordinary Grand Jury practically has finished its business for the summer months. It was organized on August 11, 1919, and almost immediately filed a number of indictments against various persons charging criminal anarchy.

Six weeks after it was organized District Attorney Swann asked that it broaden the scope of its activities and investigate the Interborough street and milk situation. It was then that the break between the extraordinary body and the District Attorney's office first became public, and the "over-shadowing crime" moved to the centre of the stage.

\$1.40 GAS PRICE SET FOR CONEY ISLAND

Company Which Feared Shutdown Wins Increase.

The Brooklyn Borough Gas Company, which had announced it would have to raise its price for supplying Coney Island on account of the increased cost of gas oil, was permitted yesterday by Alfred M. Barrett, acting Public Service Commissioner, to increase its rate from \$1.15 to \$1.40 a thousand cubic feet.

The increase is granted until October 1, when the company will change its standard from 22 candle power to a heat standard, 525 British thermal units. The rate of gas, which is several times the matter of heat and not so high in the matter of candle power, costs less to make, owing to the saving in gas oil. The Public Service Commission in its order requires the company to give its consumers full benefit of the saving.

It is expected that the saving will be about 12 cents a thousand cubic feet, so that the rate will be reduced to around \$1.28. The company is called upon to supply a far larger number of consumers in the summer months than in the winter, and this makes its expenses higher than those of other companies.

STATEN ISLANDERS LOSE 5 CT. FARE POINT

Court Refuses to Enjoin Collection of Higher Rate.

Supreme Court Justice Tierney yesterday denied the application of the city of New York for an injunction to restrain the Richmond Light and Railroad company, which operates street cars on the north and south shores of Staten Island, from charging more than a five cent fare. Under an order of the Public Service Commission, which this Corporation Counsel asserts is in violation of city contracts, the railroad is now collecting an eight cent fare on its lines.

Justice Tierney also handed down a decision refusing the city's petition for a writ of prohibition to forbid the Public Service Commission from entertaining the application of the Staten Island Midland Railroad Company, which has not operated its cars since January 2, to permit the company to charge an eight cent fare.

The court held that some of the franchisees under which the trolley companies in Staten Island are operating do not require the carrying of passengers over all parts of the line for a single fare of five cents. Some of the franchisees have no condition as to fare.

BOY THIEVES ON ROOF RISK LIVES FOR GEMS

Cross Airshaft and Steal Jewels Valued at \$1,000.

Two small boys, one 9, the other 10, of Second street, Brooklyn, confessed in the Children's Court, Brooklyn, yesterday that they had broken into the home of Mrs. Helene Sabros, 323 Third street, Brooklyn, and took \$250 in cash and some jewels. Policemen who looked over the collection of jewels recovered from a cellar hiding place valued the gems at \$1,000.

The lads said they went to the roof of 339 Third street, walked across it and were stumped temporarily by a yawning airshaft they effected a crossing by laying a plank over the hole. Some of the jewelry the boys had taken to the cellar had been stolen after its lodgment there, the police said. The boys were fined.

GETS 2 YEAR TERM FOR ALCOHOL SALE

Manufacturer of Hair Tonic Files Appeal—Three Fined \$17,000 Each.

Indictments, arrests and sentences, all having to do with dealings in liquor, came thick and fast yesterday. Samuel K. Saleeby, Brooklyn druggist, of 80 Court street, was indicted for manhandling a woman in the County Court, Brooklyn, in connection with the sale of wood alcohol whiskey last Christmas and the deaths caused thereby in Massachusetts and Connecticut.

Charles Lissianski was indicted at the same time and arrested during the afternoon. Both were accused of manslaughter in the first and second degrees over their alleged share in selling wood alcohol.

Twenty-nine sailors, accused of mutiny which was inspired by whiskey, were arraigned in the United States District Court. Jose Couso and Jose Caraso, said to be the ringleaders, were held in \$2,000 bail each by Judge William J. Grubb. The others were held in \$500 each. When at Montevideo, the men staged their mutiny, it was said, and two of their number went to the hospital. The twenty-nine were arrested, much to their astonishment, by Federal marshals when they arrived in port yesterday on board the steamship Huron.

Felon sentences as well as fines were prescribed by Judge Grubb for three officials of the Gramatan Company and the Herba Products Company. They were convicted last week of selling 25,000 gallons of 190 proof alcohol, which they had obtained from bond on the pretext, it is said, that it was to be used in making hair tonic and other remedies for the scalp.

Henry P. Marese, president of the Herba concern, received a two year jail sentence, this being one of the severest yet imposed for a violation of the prohibition laws. Giovanni Rubino, president of the Gramatan Company, was sentenced to twenty months in jail. Charles D'Angella, treasurer of the former concern, was given a term of fifteen months. In addition each prisoner was fined \$17,000.

Appeals were filed at once by all three and they were released in bail of \$115,000. Both companies involved have offices at 135 Prince street and a factory at 1425 Broadway. The Gramatan Company manufactures hair tonic, and the Herba Company's specialty is flavoring extracts.

John May and Patrick Finn, owners of saloons at Eighth avenue and Forty-third street and Seventh avenue and Fifty-sixth street, respectively, pleaded guilty to charges of violating the dry laws, and Judge Learned Hand fined them \$1,000. Six of their bartenders, who served the forbidden liquors, were fined \$200 each.

United States Commissioner Hitchcock held in \$500 bail each Alexander Friedman, Thomas Hughes, Samuel Selig and Mary Fitzpatrick, who were charged with having 100 cases of whiskey illegally in their possession. Oscar Keisler, accused of transporting 200 cases of the same intoxicant, was held in \$1,000 bail.

Police broke through an infuriated crowd last night at Tenth avenue and Twenty-third street and took from the driving seat of a big automobile truck Joseph Hellburg, 35 years old, of 1811 Second avenue, who had just run down and killed John Olson, 60 years old, driver of a parcel post truck.

He was described in the neighborhood as a "fatherly old man and everybody's friend." After Olson was run down Hellburg clamped on the brakes and as he came to a stop a crowd surrounded the truck and several men jumped up and began beating him. Police of the West Twentieth street station, led by Capt. McQueney, arrived on a riot call, to find Hellburg unconscious. A physician worked over him an hour and a quarter to bring him around, and then the driver was placed under arrest on a charge of homicide.

The record of the day's fatalities from motor accidents was as follows: George Callahan, 7 years old, of 46 Morton street, killed at Bedford and Commerce streets by an automobile truck. Alfred Hansen, 21 years old, 704 Washington street, the driver, accused of speeding, locked up in the Charles street station on a charge of homicide.

Walter Patterson, 7 years old, 179 India street, killed while "hitchhiking" on an automobile truck at Manhattan and Greenpoint avenues, Brooklyn.

Mrs. Mary Grimm, 36 years old, 3954 Freeman avenue, Long Island City, struck and killed by an automobile as she stepped from behind a trolley car at Honeywell street and Jackson avenue, Long Island City.

DIES RESCUING GIRL IN SURF AT CONEY

Bathers Fail to Lend Hand to Exhausted Swimmer.

After swimming out 100 feet from shore and bring into shallow water an unidentified girl, Samuel Strauber, 425 East Ninth street, a garment cutter, himself was drowned.

With a cousin, Max Billig, with whom he was staying at 2204 Mermad avenue, Coney Island, young Strauber, who was 17 years old, went bathing yesterday off the Whitney Baths, Surf avenue and Twenty-ninth street. The screams of a girl attracted him and he saw her for her. Hundreds of other bathers noticed his struggle with the girl in a rough sea, and as he managed to half drag and half carry her toward shallow water, where she was able to touch bottom and walk ashore, many went forward to lend a hand.

Their concern seemed all for the girl, however, and it was several minutes before Billig, who could not swim, called attention that his cousin had not come ashore. Lifeguards and other men bathers grew apprehensive and began diving at the spot where Strauber was last seen. After fifteen minutes of this Charles Levine, a sailor attached to the dreadnought Pennsylvania, recovered Strauber's body. It was surmised that his struggle over the girl had caused a cramp.

Court Disbars Smythwick.

Charles A. Smythwick, who has been practicing law here since 1909, was disbarred yesterday by the Appellate Division of the Supreme Court. He was found guilty of converting a client's money to his own use and of having made false and misleading statements to conceal it.

TWO CHARGED WITH \$30,000 SILK FRAUDS

Cox and Gaynor Indicted and Invoices Called Fictitious.

Alfred J. Cox, Jr., and Hiram K. Gaynor have been indicted by the Grand Jury on charges of defrauding Frederick Viator & Achells, commission merchants, of \$30,000. Cox and Gaynor are secretary and treasurer, respectively, of the Heather Silk Company of 77 Madison avenue. Cox lives at 29 Cottage place, Orange, N. J.; Gaynor at 85 Ogden avenue, Jersey City.

It is alleged that in 1918 the defendants made an agreement with Frederick Viator & Achells whereby money would be advanced for a commission on all invoices of the Heather Silk Company. Bankruptcy proceedings were filed soon for the silk company and it was found upon an investigation of the accounts that Frederick Viator & Achells had been defrauded of \$30,000 through a system of fraudulent invoices. Seventeen alleged customers of the Heather Silk Company testified before the Grand Jury that they never had ordered goods shown by the invoices on which Cox and Gaynor received money.

Cox was arraigned yesterday before Judge Mulqueen in General Sessions and held in \$2,000 bail. Gaynor was arrested in Jersey City and held by Acting Judge Edward Markley for extradition.

ACTOR'S WIFE ASKS \$50,000.

Mrs. Carlyle Blackwell Begins Action Against Lucette Valsey.

Mrs. Ruth H. Blackwell, wife of Carlyle Blackwell, actor, yesterday sued Lucette Valsey, of 7 East Fifty-fifth street, for \$50,000. In a Supreme Court complaint she charges Miss Valsey with having alienated the affections of the actor.

The Blackwells have been separated for some time and Mrs. Blackwell recently sued her husband for separation. She blamed Miss Valsey for having caused the separation. The latter denies the charges.

ELWELL MURDER THREAT IS DENIED

Continued on Second Page.

amined for three hours on the various phases of the case.

"Mr. Dooling reports that she did not refuse to answer any question. She said that she had known Elwell for a period of eight years."

Denies Threat to Elwell.

After issuing this statement Mr. Swann went into conference with several of his assistants, and about an hour later gave out another typewritten statement which follows:

"The attention of Miss Kraus was called to the article in yesterday's American and she denied categorically that she had, in the presence of hearing of Anne Kane, or any other person, or at any time, uttered any threats against the life of Joseph Bowne Elwell."

"She further stated that she had not been deserted by Elwell, and did not fear that she would be deserted by Elwell; that she was until recently a married woman, and she further stated that he had never proposed marriage to her and the subject had never been suggested or discussed; that she had known Elwell for about eight years and had seen him at different times at Palm Beach, in New York city, at hotels, places of amusement, &c.; that she had not had any controversy or disagreement with any other woman regarding Mr. Elwell, or any other man; that she had only seen Anna Kane twice in her life; once when she was motoring with her brother and another lady, when she and her brother and the other lady were guests for a day at the cottage at Saratoga occupied by the late Mr. Elwell."

"She saw Anna Kane on another occasion when she visited the late Mr. Elwell in the city of New York in the autumn of 1919. She stated that she bore no ill will toward Anna Kane."

"She stated that Elwell told her that he intended to sell all his horses; that

they were not running well, and he wanted to get rid of them.

"She stated that she knew Mrs. Joseph E. Wilmerding, who lived at Narragansett Pier, R. I., with her mother, and that she had met Mrs. Wilmerding at Palm Beach, and that she recently saw her in New York city at the Ritz. She said that Mrs. Wilmerding was visiting another lady at Palm Beach three winters ago, and that is the time that she met Mrs. Wilmerding."

It was later stated at the District Attorney's office that the person referred to as "Mrs. Joseph E. Wilmerding" in the statement was supposed to be Mrs. Josephine L. P. Wilmerding of 55 West Fifty-third street, the divorced wife of Cuthbert Mortimer Wilmerding. Her name has been brought into the case through the mention by Anna Kane of a "Rhode Island woman," whom Elwell hated among his friends. She has given an interview which tends in no way to shed any light upon the case.

It was stated yesterday that the District Attorney had been trying to get into communication with Mrs. Wilmerding without success. He was desirous of asking her to visit his office this morning in order that he may ascertain if she has any information that could be of any value in unravelling the mystery which surrounds the circumstances of the whist expert's death.

Clash With Shevlin.

While the feminine angle of the case was absorbing the attention of several of the investigators yesterday, serious complications were developing along another line.

Federal agents attached to the staff of James Shevlin, supervising prohibition enforcement agent, became incensed against the District Attorney's office and announced that they will cooperate no longer with Mr. Swann's aids in the efforts to ascertain if Elwell could have been slain as a result of a quarrel over a transaction in "bootleg" liquor.

This does not mean that the prohibition sleuths are off of the Elwell case. They declare that during the last two days they have uncovered evidence of the greatest value relating to Elwell's deals with "bootleggers," and that they intend to continue their work, but without the aid of the District Attorney.

Within the last few days two of Mr.

Shevlin's most experienced investigators, Daniel J. Mangin and William P. Lord, have conferred several times with Assistant District Attorney Talley and Dooling about the Elwell case. Yesterday they were to have talked with them about an anonymous letter which the effect that Elwell had been slain by a New York "bootlegger" who could be found in New Haven. Mr. Talley was to have called them on the telephone at a time convenient to him and they were to have gone up to see him.

Mr. Talley was not at his office yesterday and he did not call them. After waiting to hear from him for several hours Mr. Lord became indignant and told his office associates what he thought of the prosecutor's staff.

"Not Going to Be Kicked."

"I'm not going to be kicked by Talley and Dooling any longer," he said. "I have no time to waste around the District Attorney's office. I'm tired of going up there just to get kicked full of hot air." It was stated that although the Federal agents had expected the District Attorney to furnish them with some information of value he had not done so, and they are obliged to work solely upon their own clues.

It was stated at Mr. Shevlin's office that among the prominent persons who are alleged to have received large quantities of "bootleg" liquor through certain of Elwell's associates is a man whose name is well known to every New Yorker, whose standing in political circles and in public life has been of the highest and who has occupied a position of great importance in this State.

It is expected that this man will be questioned by the prohibition agents early next week, with several others of prominence in business, financial and sporting circles.

Mr. Shevlin declared his men are following a trail which they believe very quickly may lead to the disclosure of the motive for the murder of Elwell. He again asserted that he had in his possession information leading to the conclusion that Elwell was a member of a "whiskey ring" that had extensive dealings with bootleggers.

Roy Eastman of 213 West Fortieth street, whose name happened to be mentioned on Thursday in a statement made

to Mr. Shevlin by William Barnes, Mr. well's secretary, visited the prohibition agent's office and stated that he had no knowledge whatever of any liquor transactions in which Barnes may have figured.

A downtown business man, who also had been mentioned by Barnes on Thursday, was sought by the Federal agents, but was found to have left town for a few days. His attorney called at Mr. Shevlin's office in his stead.

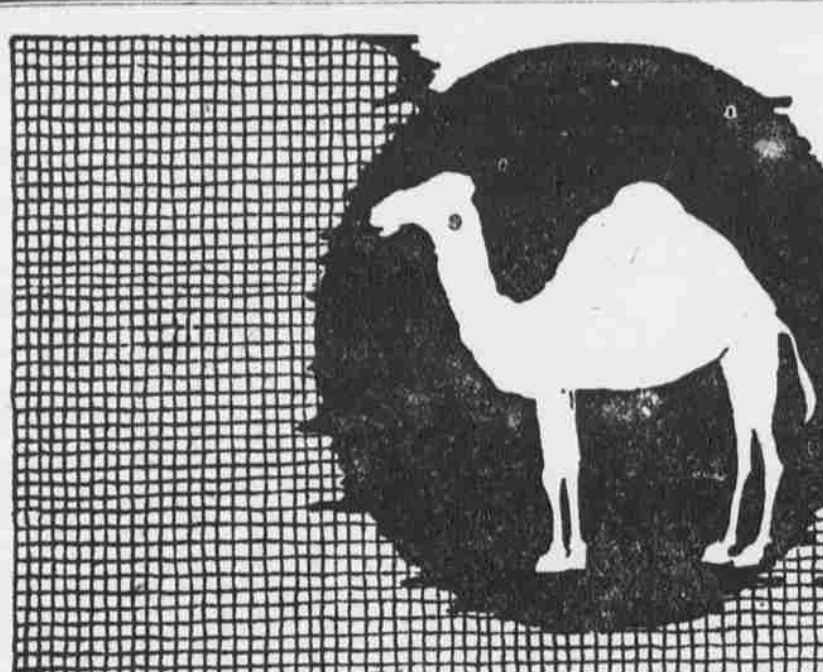
Assistant District Attorney Dooling, in speaking last night of the activities of Mr. Shevlin's men in connection with the Elwell case, said: "I have no criticism to make of these fellows down there, but we cannot conduct this office as an agency for the purpose of running down all of the 'bootleggers' in town who have really nothing to do with this case."

COW EATS DYNAMITE; NOW IN MILKY WAY

Second Being Guarded Last It Bump Into Fence.

Benjamin Hardesty has a farm in Jutland, N. J., and until recently he had among his stock two heifers. Yesterday he fled with the New Jersey State Highway Commission a claim for \$12 for one of the heifers and is keeping his ears open for a loud report that will enable him to put in another claim for the same animal.

A few days ago, he complained to the commission, somebody in the highway department left a box in the cow pasture. Those two simple souled heifers casually ate the contents. Shortly thereafter one of them charged to bump into a fence, and instantaneously, if not sooner, became an integral part of the milky way. As for the other, Mr. Hardesty told the commission he would withhold damage claims until he is sure the casualties are ended. This second heifer, he said, has been wrapped up like a mummy as a precautionary measure, but if she happens to fall, what with sticks of dynamite dangled inside her, she may join her late companion on the skyward flight.



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